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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/811,703	03/19/2001	Timothy J. Wojcik	81359N-R	9473

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EXAMINER

LIANG, LEONARD S

ART UNIT	PAPER NUMBER
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2853

DATE MAILED: 06/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/811,703	Applicant(s) WOJCIK ET AL.	
	Examiner Leonard S Liang	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-34, 38 and 40-43 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-34, 38 and 40-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION***Claim Rejections - 35 USC § 103***

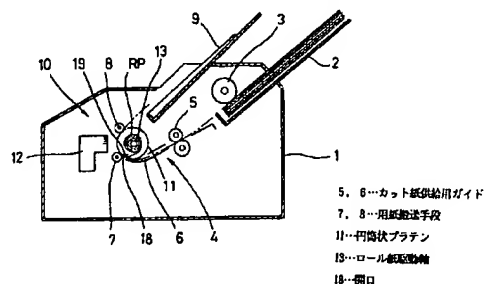
The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-4, 6-7, 9-10, 13-19, 21, 24, 26-27, 31-34, and 40-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikumura et al (JP Pat 405147284) in view of Eckstein et al (US Pat 6634269 B2)

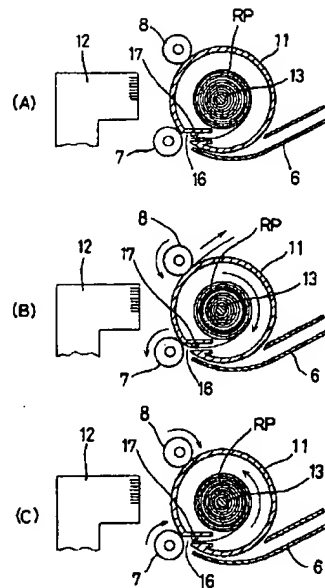
Kikumura et al discloses:

- {claim 1} printer system for producing variable sized printed receiver media (figure 1, reference 2, RP as shown below; Detailed Description, page 3, paragraph 0018; variable sized printing inherent in light of roll sheet RP and end of printing checker) comprising:

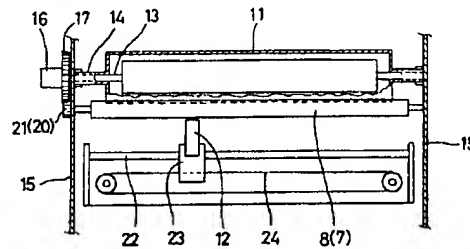


a receiver media handling system for an inkjet printer having an internal media supply roll (figure 3A-C, reference 13, RP as shown below);

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rotary drum (figure 3, reference 11); receiver media feeder (figure 3A-C, reference 16-17); an inkjet printhead (figure 2, reference 12 as shown below) for printing images within an image area on the receiver media from the supply roll, the inkjet printhead being positioned relative to the rotary drum so as to form the image while the receiver media having the image area is supported on the outer surface of the rotary drum (figure 1, 3A-C, reference 12);



and a post-print treatment station (figure 1, reference 9)

- {claim 2} lead edge clamp (figure 1, reference 8); motorized means (Detailed Description page 2, line 24; page 3, lines 19-22)
- {claim 3} the rotary drum is adapted to run causing the cut receiver media to unload onto the post-print station (Detailed Description, page 3, paragraph 0017, 0018)
- {claims 4 and 21} drive roller (figure 3, reference 7)
- {claim 6 and 19} lead edge clamp (as taught in claim 2) for retaining the receiver media from the supply roll in a printing position by tensioning the receiver media from the

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supply roll between the lead edge clamp and the receiver media supply roll (figure 3, reference 8)

- {claims 7 and 17} rotary drum returns to receiver media feed position to begin new cycle (figure 3C; Detailed Description page 3, lines 19-21)
- {claims 10 and 26} in-feed guide which causes cut receiver media to exit onto a paper tray (figure 1, reference 9)
- {claim 13} printhead adapted to translate across rotary drum (figure 2, references 11, 23)
- {claim 14} A printer system comprising a printhead for printing images on receiver and a receiver media handling system for producing variable sized printed receiver media (as taught in claim 1); a rotatable drum mounted for rotation about an axis and having an internal receiver media supply roll supported within the drum and having a tube-shaped outer surface, the outer surface of the drum being located relative to the printhead for printing of an area on the receiver media while supported on the drum (figure 1, 3A-C; as taught in claim 1); a receiver media feeder (as taught in claim 1); clamp (figure 1, reference 7, 8); a receiver media transport for causing the receiver media to move in a first direction from the supply roll to a printing position on the drum and to move in a second direction opposite the first direction to advance the receiver media to a cutting position following printing (Detailed Description page 2, line 24; page 3, lines 19-22)
- {claim 15} the drum is a rotary drum (figure 1, reference 11)
- {claim 16} causing the rotary drum to rotate so as to position the cut receiver media to exit (as taught in claim 3)
- {claim 18} lead edge clamp (figure 1, reference 7)
- {claim 27} A method of printing to form different sizes of printed cut receiver media; drawing the receiver media from a supply roll stored within a tube-shaped drum so that the drawn receiver media is moved and supported along an outer surface of the drum (as taught in claim 1; method implied by apparatus disclosure); retaining an edge of the receiver media from the supply roll at a location about the rotary drum (figure 1, reference 7, 8); printing an image on the receiver media that is supported on the outer surface of the drum (as taught in claim 1)
- {claim 31} defining an image area on the receiver media for printing (inherent to invention)

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- {claim 32} tensioning the receiver media around the rotary drum through the receiver media supply roll (figure 1)
- {claim 33} the tensioning step is followed by the step of activating the drum to rotate (figure 3B)
- {claim 34} the activating step is followed by the step of translating a printhead across the rotary drum for printing images on the receiver media within the image area (figure 2, Detailed Description, reference 0017 and 0018)
- {claim 43} rotary drum returns to a paper feed position for the next cycle (figure 3C; Detailed Description, page 3, lines 19-21)

Kikumura differs from the claimed invention in that it does not disclose:

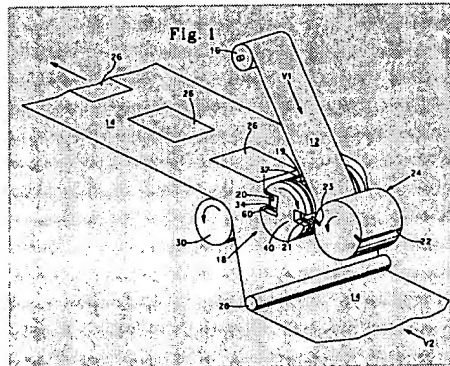
- {claim 1} a plurality of cutter notches; a cutting blade adapted to cooperate with the cutter notches for cutting receiver media at any one of the cutter notches for cutting receiver media at any one of the cutter notches in accordance with a selected one of plural different sizes
- {claim 9} determining the location to cut the receiver media utilizing the image area for a current print job
- {claim 14} a plurality of cutter notches predisposed at predetermined circumferentially spaced location on the drum; cutting blade; in the cutting position, the cutting blade is adapted to cooperate with one of the cutter notches to cut the printed receiver media from the supply roll to form the printed cut receiver media to be produced in one of plural selectable sizes in accordance with the notch employed for cutting
- {claim 24} rotary cutter wheel
- {claim 27} rotating the drum to advance the receiver media to a position where a cutter may cut the receiver media at any one of plural predetermined locations on the receiver media in accordance with a cut receiver media size selected; cutting the receiver media; removing the cut receiver media
- {claim 40} in the cutting step a cutter blade comes in contact with the receiver media on the rotary drum by running the cutter blade against a cutter notch on the outer surface
- {claim 41} rotating the rotary drum so that a cutting blade is opposite one of plural selected notches that are formed on the outer surface of the drum and which notches are circumferentially spaced along the outer surface of the drum

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- {claim 42} in the removing step, the rotary drum rotates to advance the cut receiver media onto a path of a stripper guide

Eckstein et al discloses:

- {claims 1, 14, and 27} plurality of cutter notches (figure 1, reference 20-21; column 3, lines 57-67); cutting blade (figure 1, reference 22-23; column 3, lines 57-67)



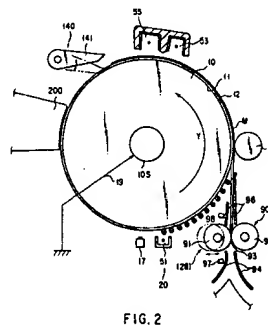
- {claim 24} rotary cutter wheel (figure 1, reference 24; column 3, lines 57-67)
- {claim 40} in the cutting step a cutter blade comes in contact with the receiver media on the rotary drum by running the cutter blade against a cutter notch on the outer surface (column 3, lines 57-67)
- {claim 41} rotating the rotary drum so that a cutting blade is opposite one of plural selected notches that are formed on the outer surface of the drum and which notches are circumferentially spaced along the outer surface of the drum (figure 1; column 3, lines 57-67)
- {claim 42} in the removing step, the rotary drum rotates to advance the cut receiver media onto a path of a stripper guide (figure 1, reference 14; carrier web serves as stripper guide)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the cutter notches, cutter blades, and cutter wheel disclosed by Eckstein et al into the invention of Kikumura et al in order to cut the receiver media. The motivation for the skilled artisan in doing so is to gain the benefit of cutting a plurality of individual media pieces from a media web. The combination naturally suggests the cutter blade cooperating with the cutter notches for cutting the receiver media at any one of the cutter notches in accordance with a selected one of plural different sizes; determining the location to cut the receiver media utilizing the image area for the current print job; a post-print station adapted to

2. Claims 5, 22, and 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikumura et al (JP Pat 405147284) in view of Eckstein et al (US Pat 6634269 B2) as applied to claims 4 and 21 above, and further in view of Kamano et al (US Pat 6375319).

- {claim 29} driving the receiver media around the rotary drum and out to a lead edge clamp (figure 1, reference 8)
- {claim 30} guiding the receiver media around the circumference of the rotary drum (figure 3B)

Kamano et al discloses a retractable feed roller (figure 2, reference 91; column 5, lines 56-67; column 6, lines 1-6)



It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the retractable feed roller disclosed by Kamano et al into the invention of modified Kikumura et al so that the roller is retracted for printing. The motivation for the skilled artisan in doing so is to gain the benefit of preventing a load from being applied to the rotary drum which rotates the paper sheet (column 6, lines 3-6).

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3. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kikumura et al (JP Pat 405147284) in view of Eckstein et al (US Pat 6634269 B2), as applied to claim 1 above, and further in view of Kakutani et al (US Pat 6299283).

Kikumura et al, as modified, teaches all limitations of the claimed invention except for the following: the amounts of receiver media from the supply roll on the outer surface of the rotary drum is constant for all requested print formats.

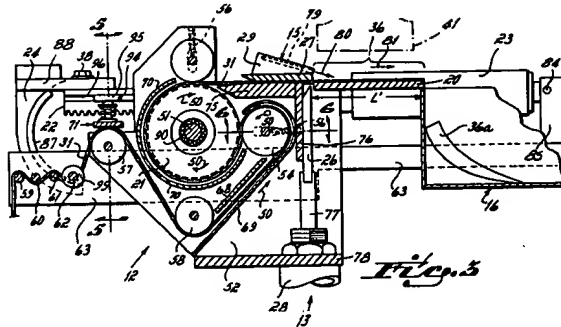
Kakutani et al discloses, with respect to claim 8, a printing apparatus with constant feed (abstract). Thus, it is inherent to the invention that the receiver media from the supply roll on the outer surface of the rotary drum is constant for all requested print formats (since the actual amount of supply media that is fed is the same despite the requested print format). Kakutani teaches that the invention “improves image quality by mitigating the effect of any irregularity that may be present in the nozzle pitch, the jetting Feature and the like.” (column 1, lines 63-65)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Kakutani et al into the invention of modified Kikumura et al so that the amounts of receiver media from the supply roll on the outer surface of the rotary drum is constant for all requested print formats. The motivation for the skilled artisan in doing so is to gain the benefit of improved image quality, as taught above.

4. Claims 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikumura et al (JP Pat 405147284) in view of Eckstein et al (US Pat 6634269 B2), as applied to claims 2 and 18 above, and further in view of Clay (US Pat 4282808).

Kikumura et al, as modified, teaches all limitations of the claimed invention except for the following: an outer guide shoe adapted to guide the receiver media from the supply roll toward the lead edge clamp.

Clay discloses, with respect to claims 11 and 20, an outer guide shoe (figure 3, reference 70; column 4, lines 32-35). Clay teaches that the guide shoe aids in preventing backlash of the endless tape strip 31 (i.e. receiver medium) as it proceeds through the tape feed mechanism 12 (column 4, lines 32-35)



It would have been obvious to one having ordinary skill in the art at the time the invention was made incorporate the invention of Clay into the invention of modified Kikumura et al in order to guide the receiver media from the supply roll toward the lead edge clamp. The motivation for the skilled artisan in doing so is to gain the benefit of being able to prevent backlash of the receiver media, as taught above.

5. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kikumura et al (JP Pat 405147284) in view of Eckstein et al (US Pat 6634269 B2), as applied to claim 1 above, and further in view of Drake (US Pat 5098503).

Kikumura et al, as modified, teaches all limitations of the claimed invention except for the following: the printhead is page-width.

Drake discloses, with respect to claim 12, a page-width printhead (column 2, lines 7-8). Drake teaches that having a page-width printhead is desirable because it allows high speed printing to be performed (column 2, lines 7-8).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the page-width printhead disclosed by Drake into the invention of modified Kikumura et al so that the printhead is page-width. The motivation for the skilled artisan in doing so is to gain the benefit of allowing high-speed printing to be performed, as taught above.

6. Claims 23 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kikumura et al (JP Pat 405147284) in view of Eckstein et al (US Pat 6634269 B2), as applied to claim 14 above, and further in view of Bickoff et al (US Pat 5482389).

Kikumura et al, as modified, teaches all limitations of the claimed invention except for the following: the cutting blade is a retractable cutting blade.

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Bickoff et al discloses, with respect to claims 23 and 25 a retractable cutting blade (figure 1, reference 7; column 2, lines 54-55; abstract). Bickoff teaches that such a retractable cutting blade offers many advantages in terms of simplicity, economy of design, maintainability, and reliability (column 1, lines 8-13).

U.S. Patent

Jan. 9, 1996

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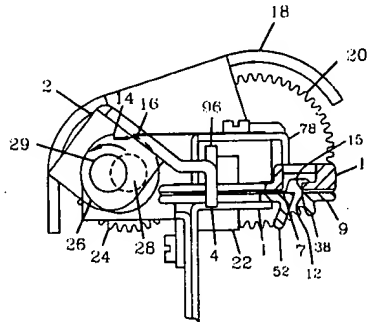


FIGURE 1

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the retractable cutting blades disclosed by Bickoff et al into the invention of modified Kikumura et al in order to cut the receiver media at any one of the cutter notches. The motivation for the skilled artisan in doing so is to gain the benefit of the many advantages of the invention, in terms of simplicity, economy of design, maintainability, and reliability, as taught above. The combination naturally suggests that the rotating cutter wheel is configured to retract from the drum.

7. Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kikumura et al (JP Pat 405147284) in view of Eckstein et al (US Pat 6634269 B2), as applied to claim 27 above, and further in view of Nuita et al (US Pat 6050683).

Kikumura et al, as modified, teaches all limitations of the claimed invention except for the following: the cutting step is preceded by the step of deactivating the rotary drum

Nuita et al discloses with respect to claim 38, deactivating the rotary drum (column 1, lines 35-40)

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Nuita et al into the invention of modified Kikumura et al so that the cutting step is preceded by the step of deactivating the rotary drum. The motivation for the skilled artisan in doing so is to gain the benefit of preventing a printhead from being damaged due to a rise of the paper

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sheet (column 1, lines 36-40). The combination naturally suggests that the cutting step is preceded by the step of deactivating the rotary drum since cutting is part of the paper removal process.

Response to Arguments

8. Applicant's arguments, see Appeal Brief, filed 02/05/04, with respect to claims 1-34, 38, and 40-43 have been fully considered and are persuasive. The final rejection of 08/01/03 has been withdrawn.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Webster (US Pat 4133613) discloses a printer paper feeder.

Kanbe (EP Pat 1044819 A2) discloses a cutter apparatus and printer.

Nakajima (JP Pat 2003211756 A) discloses a cutter unit for label printer.

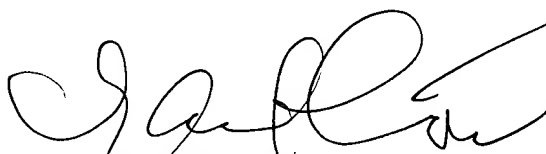
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leonard S Liang whose telephone number is (571) 272-2148. The examiner can normally be reached on 8:30-5 Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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LAMSON NGUYEN
PRIMARY EXAMINER
05/28/09